



Entered on Docket
December 10, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Susan M. Freeman AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles NV State Bar No. 006593
Email: rcharles@lrlaw.com
John Hinderaker AZ State Bar No. 018024
Email: jhinderaker@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

Date of Hearing: December 20, 2007
Time of Hearing: 9:30 a.m.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

**ORDER APPROVING STIPULATION TO CONTINUE THE HEARING ON
MOTION FOR SUMMARY JUDGMENT RE DUTKIN'S CLAIM**

IT IS HEREBY ORDERED:

- Approving the Stipulation by and between USACM Liquidating Trust and John Dutkin, Trustee [DE 5443];
- Vacating the hearing set for December 14, 2007, at 9:30 a.m. on USACM Trust's Motion for Summary Judgment [DE 4291] as it relates to the Dutkin's Claim (Claim No. 10725-01395) only and on USACM Trust's Objection to John Dutkin, Trustee. The hearing on the Motion for Summary Judgment and Objection is continued to **December 20, 2007 at 9:30 a.m.**;

###

PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

APPROVED AS TO FORM AND CONTENT:

GEORGE D. FRAME, Ltd

By: _____
George D. Frame
Attorneys for John Dutkin, Trustee

12/05/2007 11:13 FAX

005

Lewis and Roca LLP 12/4/2007 5:43 PM PAGE 5/005 Fax Server

1 **ORDER APPROVING STIPULATION TO CONTINUE THE HEARING ON**
2 **MOTION FOR SUMMARY JUDGMENT RE DUTKIN'S CLAIM**

3 **IT IS HEREBY ORDERED:**

- 4 • Approving the Stipulation by and between USACM Liquidating Trust and
5 John Dutkin, Trustee [DE ____];
6 • Vacating the hearing set for December 14, 2007, at 9:30 a.m. on USACM
7 Trust's Motion for Summary Judgment [DE 4291] as it relates to the Dutkin's
8 Claim (Claim No. 10725-01395) only and on USACM Trust's Objection to
9 John Dutkin, Trustee. The hearing on the Motion for Summary Judgment and
10 Objection is continued to **December 20, 2007 at 9:30 a.m.**;

11 ###

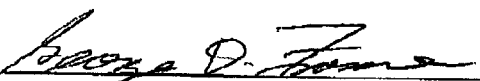
12 **PREPARED AND SUBMITTED:**

13 **LEWIS AND ROCA LLP**

14
15 By: /s/ RC (#0006593)
16 Susan M. Freeman
17 Rob Charles
18 John Hinderaker
Attorneys for USACM Liquidating Trust

19 **APPROVED AS TO FORM AND CONTENT:**

20 **GEORGE D. FRAME, Ltd**

21
22 By: 
23 George D. Frame
Attorneys for John Dutkin, Trustee